

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

TIFFANY JOHNSON,

Plaintiff,

v.

Case No. 17-13426

MEDICREDIT INC.,

Defendant.

**ORDER SETTING ASIDE CLERK'S ENTRY OF DEFAULT AND DENYING
PLAINTIFF'S MOTION FOR ENTRY OF DEFAULT AS MOOT**

Plaintiff Tiffany Johnson filed and served this Fair Debt Collection Act suit, but Defendant Medicredit failed to timely respond. Plaintiff obtained a clerk's entry of default and then filed a motion for entry of default [sic—default *judgment*]. (Dkt. # 6.) Defendant attempted without success to quickly contact Plaintiff's counsel, but wishing to avoid further delay, filed a motion to set aside entry of default, an answer to the complaint (Dkt. # 8, 9), and a response to the motion for entry of default judgment. (Dkt. # 11.)

Plaintiff has presented no opposition to setting aside the default; indeed, the parties filed a joint discovery plan pursuant to Rule 26(f), and have conducted an ordinary course of discovery.

The Federal Rules of Civil Procedure authorize the court to "set aside an entry of default for good cause." Fed. R. Civ. P. 55(c). The parties obviously have assumed that they are proceeding in the absence of a default. Accordingly,

IT IS ORDERED that Defendant's Motion to Set Aside Clerks Entry of Default (Dkt. # 8) is GRANTED.

IT IS FURTHER ORDERED that Plaintiff's Motion for Entry of Default Judgment
(Dkt. # 6) is TERMINATED AS MOOT.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: May 15, 2018

I hereby certify that a copy of the foregoing document was mailed to counsel of record
and/or pro se parties on this date, May 15, 2018, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(810) 292-6522

S/Cleland/Judge'sDesk/C2Orders/17-13426.JOHNSON.DenyDefault.aju.RHC